

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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)	
GIUSEPPE MAROTTA et al.,)	
)	
Plaintiffs)	
)	
v.)	C.A. NO. 05-10032-MEL
)	
SUFFOLK COUNTY,)	
Defendant)	
)	
)	

MOTION TO AMEND COMPLAINT
TO ADD ADDITIONAL PARTY PLAINTIFFS

Now come the Plaintiffs in this action and move to amend their First Amended Complaint by adding as party plaintiffs the three individuals who have today filed individual consent forms in connection with the Plaintiffs NOTICE OF FOURTH FILING OF FLSA CONSENTS TO SUE (these forms will hereinafter be referred to as Consent(s).)”In support thereof, the Plaintiffs state that each such individual who has filed a Consent has been a correction officer employed by the Defendant Suffolk County, and a member of a labor organization, AFSCME Council 93, AFL-CIO, Local 419 (the Union).” The Union and the Defendant Suffolk County are and have been parties to a collective bargaining agreement, which sets forth terms and conditions of employment that uniformly apply to corrections officers and certain other employees assigned to the Suffolk County House of Correction, including hourly rates of pay, and circumstances in which officers are entitled to receive overtime pay and the addition of certain premiums to their normal hourly rate of pay (hereinafter, premium pay).” The individuals who

have filed their Consents, therefore, are similarly situated employees within the meaning of 29 U.S.C. § 216(b), and are therefore entitled to intervene in this case as party plaintiffs by filing their Consents. A copy of the Plaintiffs' Second Amended Complaint is attached hereto.

The 234 individuals who have filed their Consents and move to be added as party plaintiffs with today's filing are:

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|-----------------------------|--------------------------|
| 1. Peter Abban | 35. Gerardo Carrasquillo |
| 2. Nicholas Adams | 36. William A. Carroll |
| 3. Alejandro Aguilar | 37. Corry D. Carter |
| 4. Brian Ahearn | 38. Ninfa Cepeda |
| 5. William Ahern | 39. Debra Charles |
| 6. Christopher Alessi | 40. Patricia Cheatham |
| 7. Michael F. Amatucci | 41. Anthony Chianca |
| 8. Anthony Andrews | 42. Benjamin Chin |
| 9. Anthony Arcieri III | 43. Sean M. Clark, Sr. |
| 10. Edward Ardolino | 44. John T. Clasby |
| 11. Charles M. Bailey | 45. Dalton G. Clayton |
| 12. Charles Balboni | 46. Michael Connaire |
| 13. Michael Balzarini | 47. John P. Connolly |
| 14. Edward J. Bannon | 48. James G. Coppinger |
| 15. Danevna Barbour | 49. James F. Coughlin |
| 16. Kevin M. Barrett | 50. Felicia Cowan |
| 17. Roseanne Barrows | 51. Mark Coye |
| 18. Daniel Bausemer | 52. William Cranshaw |
| 19. Richard A. Belinsky Jr. | 53. Alicia Crosby |
| 20. Julio Bello | 54. Thomas Cunniff |
| 21. Yvette Bennett | 55. Richard F. Curtin |
| 22. William Berardinelli | 56. David Dackers |
| 23. Anthony Bernard | 57. John M. D Aiello |
| 24. Maureen Bland | 58. John DeBassio |
| 25. Leo Boudreau | 59. Robert DeBole |
| 26. Al Boudrow | 60. John DeGiacomo |
| 27. Wayne Ed Bourgeois | 61. Robert G. Delaney |
| 28. Randy S. Brooks | 62. William Delaney |
| 29. Frank Burgess, Jr. | 63. Errol DePass |
| 30. Latonya Bynum | 64. John DelSolio |
| 31. Patrick Cadigan | 65. Lorraine Denehy |
| 32. Robert T. Call | 66. Juan Diaz |
| 33. Victor Caraballo | 67. Steven Diaz |
| 34. Dean W. Cardillo | 68. David DiCenso |

69.	Thomas S. Donahue	114.	David A. Hurvitz
70.	Lauren Donovan	115.	Jesus R. Iraola
71.	Thomas C. Donovan	116.	Ricardo Iraola
72.	Gail J. Dwyer	117.	Jennifer Jackson
73.	Edward Eames	118.	William Jackson, Jr.
74.	John Farragher	119.	Richard Jarvis
75.	Deyanira Feliz	120.	Dana C. Johnson
76.	Domenic Festa	121.	Shawn Johnson
77.	Francis Finn	122.	Ivory Jones
78.	Jeffrey P. Fiorentino	123.	Fred D. Josey, Jr.
79.	Timothy S. Fistori	124.	Owen F. Julius
80.	Dana FitzPatrick	125.	James S. Kane
81.	Shaunette Fitzpatrick	126.	Lauren Kelly
82.	Edward T. Fletcher	127.	David P. Kenneally
83.	Todd Flynn	128.	William D. Kenneally
84.	Terrance P. Foley	129.	Mark Kepple
85.	Rachel A. Fuller	130.	Craig Kingston
86.	John Furney	131.	Michael S. Lally
87.	Robert F. Galante	132.	Nils Leaf
88.	Brenda Garcia	133.	Thomas P. Lee
89.	Michael Gentile	134.	Ryan Lees
90.	Jarrold Gero	135.	Henry A. Lehman
91.	Christopher L. Gillespie	136.	Joseph Lizotte
92.	Matt Gilligan	137.	Angel Lopez
93.	Adalberto Gomez	138.	Nicholas LoPriore
94.	David R. Granese	139.	Donald Loud
95.	Michael Griffin	140.	Jennifer Lynch-Babbin
96.	Jason A. Gross	141.	Anthony Lyons
97.	William Guerrero	142.	Karolyn Lyons-Prather
98.	Paul G. Guthro	143.	Scott MacDonald
99.	Robert P. Hamilton	144.	David C. Mahoney
100.	Elizabeth Handrahan	145.	John Mahoney
101.	Janine Handrahan	146.	Mark A. Marotta
102.	Donna Hartung	147.	Anna Marie Matos
103.	John Hayes	148.	Michael Matulonis
104.	Thomas A. Healy Jr.	149.	Ann McAuliffe
105.	Brenda Henderson-	150.	Eugene P. McCarthy
Brown		151.	Charles R. McCormack
106.	Gary A. Henry	152.	Sean W. McCormack
107.	Eric Hester	153.	Eileen McHugh
108.	Bruce Higgins	154.	Mark McHugh
109.	Andrew Hill	155.	Ryan P. McHugh
110.	Mary Holton	156.	Thomas A. McKenna
111.	Todd Howell	157.	Chris E. McNamara
112.	Michael Hubert	158.	Gene McNeil, Jr.
113.	Kevin E. Hughes	159.	Daniel J. Meany, III

160.	Ellen L. Melaugh	198.	John J. Ryan
161.	John Melchin	199.	Arthur M. Sacco
162.	Luther J. Miles, Sr.	200.	Anthony Saitta
163.	Peter G. Miller	201.	James Saverse
164.	Michael A. Misci	202.	Joseph L. Shea
165.	Billy J. Mobley	203.	Michael J. Shea
166.	Robert Monahan	204.	Lisa Sheehan
167.	Elizabeth Montanez	205.	Richard Silkes
168.	Sean P. Mortimer	206.	Kevin Sims, Sr.
169.	Steven Muldowney	207.	Scott Sinclair
170.	John J. Murad	208.	Dwight B. Smith
171.	John J. Murphy	209.	Antonio Sousa
172.	Scott C. Murphy	210.	Jeffrey Sprague
173.	Daniel R. Napolitano	211.	Brian Stack
174.	Kenneth J. Nobile, Jr.	212.	Christopher Summers
175.	John O Callaghan	213.	James Terrazzano
176.	Michael O Day	214.	Sylvia Thomas
177.	Ford William O Leary	215.	James M. Tobin
178.	Frederick J Opanasets	216.	Kelly D. Torrejon
179.	Leroy J. Osborne	217.	Marcus Torrejon
180.	Christopher Page	218.	William J. Torres
181.	Anthony D. Paige	219.	Richard Townsend
182.	Stathis Panos	220.	Derek Trainor
183.	Avianne E. Philbert	221.	Robert Troy
184.	Angela Pina	222.	Juan R. Vargas
185.	Robert Pizzi	223.	Joseph J. Vecchione
186.	Paul Plakias	224.	Ismael Velez
187.	Debra M. Powers	225.	John Vencile
188.	Jennifer A. Racette	226.	Robert Walker
189.	Stephen T. Rayne	227.	Thomas Walsh
190.	Steven Richman	228.	Michael J. White
191.	Joseph Ristino	229.	Mark Whitley
192.	Nassim Rizvi	230.	James Williams
193.	John E. Roberts, Jr.	231.	John Winnett
194.	Sean Ross	232.	Frederick Wortman, Jr.
195.	Robert W. Rowland	233.	Dianne Zene
196.	Franco Russo	234.	Christopher Zero
197.	Salvatore V. Russo		

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

/s/ Daniel W. Rice

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Dated: February 9, 2005